

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED-CLERK
U.S. DISTRICT COURT
2011 DEC 28 PM 4:08
TEXAS-EASTERN

David E Mack
Plaintiff

vs

EQUABLE ASCENT FINANCIAL, LLC
Successor in interest to:
HILCO RECEIVABLES, LLC
Defendant.

Case No. 4:11CV793

BY _____

REQUEST FOR CLERK'S ENTRY OF DEFAULT

David E Mack, the Plaintiff in this case, deposes and says under penalty of perjury:

1. I am the Plaintiff in the above-entitled action. I am familiar with all the facts and circumstances in this action.
2. I make this affirmation pursuant to Rule 55.1 and 55.2(A) of the Federal Civil Rules for the Eastern District of Texas in support of Plaintiff's application for the entry of a default judgment against Defendant Equable Ascent Financial, LLC, Successor in interest to Hilco Receivables, LLC.
3. This is an action to recover statutory damages owed by the Defendant Equable Ascent Financial, LLC, Successor in interest to Hilco Receivables, LLC for violation of the Fair Credit Reporting Act. The defendant is not an infant, in the military, nor an incompetent person.
4. Jurisdiction of the subject matter is based on Plaintiff at all times being a citizen of the United States and resident of Collin County, Texas per the DCPA §813.
5. This action was commenced on December 2, 2011 by the filing of the summons and complaint. A copy of the summons and complaint was served on the Defendant on December 6, 2011 by Mr. Gary Storm. Service was made via the United States Postal Service on December 6, 2011 requiring a signed receipt certificate number 70101670000040234997 pursuant to FRCP 4 and 12 on the Defendant, Equable Ascent Financial, LLC, Successor in interest to Hilco Receivables, LLC located at 1120 W. Lake Cook Road, Suite B, Buffalo Grove, IL 60089. Proof of service was filed with the Clerk of the Court and the Court assigned the case number 4:11CV793.

6. Defendant has not answered the complaint and the time for Defendant to answer the complaint has expired ref FRCP 12.
7. This action seeks judgment for statutory damages in the amount of \$1,000.00 plus costs which is justly due and owing and no part of which has been paid to date.

WHEREFORE, Plaintiff requests the entry of Default and the entry of Judgment against the Defendant.

Dated: In Dallas, Texas, December 28, 2011

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David E Mack", written over a horizontal line.

David E Mack
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Dallas, Texas 75252
972-735-9642